



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SCHULZ=2

In re Application of:

Wolfgang SCHULZ

Appln. No.: 09/826,369

Filed: April 5, 2001

For: AWNING FABRIC AND PROCESS...

Conf. No.: 4003

Art Unit: 1771

Examiner: C.C. Pratt

Washington, D.C.

January 2, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop AF  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated September 9, 2003, of the Primary Examiner. The claims appealed are claims 1-7 and 9-15.

The item(s) checked below are appropriate:

XXX Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

       \$330.00  
XXX \$165.00 (small entity)  
       Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity Response Filed Within		Other Than Small Entity Response Filed Within	
[X]	First - \$ 55.00	[ ]	First - \$ 110.00
[ ]	Second - \$210.00	[ ]	Second - \$ 420.00
[ ]	Third - \$475.00	[ ]	Third - \$ 950.00
[ ]	Fourth - \$740.00	[ ]	Fourth - \$1480.00
month after time period set		month after time period set	
[ ] Less fees (\$ _____) already paid for __ months extension of time on ____.			

       A check in the amount of \$ \_\_\_\_\_ is attached. (Check No. \_\_\_\_\_)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 220.00.

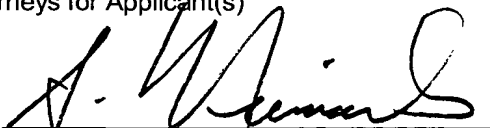
XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

01/05/2004 CCHAU1 00000107 09826369

01 FC:2251  
02 FC:2401

55.00 OP  
165.00 OP

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:   
Sheridan Neimark  
Registration No. 20,520

Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
G:\BN\RVau\schulz2\PTO\Noa02JAN04.doc